

United States District Court

SOUTHERN

DISTRICT OF

TEXAS

McALLEN DIVISION

APR 24 2015

David J. Bradley, Clerk

UNITED STATES OF AMERICA
v.

CRIMINAL COMPLAINT

Jesus Pena

A041 863 255

PRINCIPAL

YOB: 1979

the United Mexican States

Case Number:

M-15-650 -M

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about April 23, 2015 in Starr County, in the Southern District of Texas defendants(s) did,

(*Track Statutory Language of Offense*)

knowing or in reckless disregard of the fact that Georgina Alberto Garcia-De Jeorge, citizen and national of El Salvador and Edi Marleni Cazanga-Ramires, citizen and national of Guatemala, along with six (6) other undocumented aliens, for a total of eight (8), who had entered the United States in violation of law, did knowingly transport, or move or attempt to transport said aliens in furtherance of such violation of law within the United States, that is, from a location near La Grulla, Texas to the point of arrest near La Grulla, Texas,

in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) **FELONY**
 I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On April 23, 2015, Border Patrol Agents from the Rio Grande City, Texas Station conducted a vehicle stop that resulted in a 1 on 8 Alien Smuggling Case in La Grulla, Texas.

On April 23, 2015 at approximately 2:30 p.m., Border Patrol Agent Jason Hosick observed a grey 2008 Chevrolet pickup truck parked at 888 La Cuchilla Street, La Grulla, Texas. This address is a notorious staging area for alien smuggling.

As Agent Hosick drove by the mentioned residence, he observed a male subject in a grey shirt jump into the bed of the truck and hide. Agent Hosick drove past and away from the house he observed the pickup truck leave the residence and drive behind him. Agent Hosick pulled over to the side of the road and waited for the truck to pass.

SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

 Yes No

Signature of Complainant

Sworn to before me and subscribed in my presence,

April 24, 2015

Date

Dorina Ramos, U. S. Magistrate Judge
Name and Title of Judicial OfficerIsrael Perez Senior Patrol Agent
Printed Name of Complainantat McAllen, Texas
City and State

Signature of Judicial Officer

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
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CONTINUATION:

As it passed, Agent Hosick observed two females occupying a single seat in the front part of the truck, uncommon of normal occupancy in a vehicle. Agent Hosick observed four subjects in the back part of the cab hunched over trying to conceal themselves. Hosick also observed the bed of the pickup truck but could not see the male subject, with the grey shirt, that had boarded the truck. Agent Hosick requested assistance with a traffic stop. Responding Border Patrol Agents encountered the vehicle and based on Agent Hosick's observations, conducted an immigration stop using their emergency equipment. Agents approached the vehicle and observed two subjects attempting to hide in the bed of the truck. They also observed several subjects attempting to hide inside the cab of the truck. The driver was identified as Jesus PENA. The driver stated that he was a Lawfully Admitted Permanent Resident. The other subjects were interviewed and admitted that they were illegally present in the United States.

PENA and all eight of the undocumented aliens were placed under arrest and transported to the Rio Grande City Border Patrol Station for processing.

PRINCIPAL'S STATEMENT:

Jesus Pena was read his Miranda rights and stated he was willing to provide a statement without the presence of an attorney.

PENA stated he was transporting illegal aliens and knew it was illegal to do so. PENA stated he was going to get paid \$200.00 USD per alien for transporting them from a stash house in La Grulla, Texas to an abandoned house also located in La Grulla, Texas. PENA stated he was hired by a friend to transport the illegal aliens.

MATERIAL WITNESS STATEMENTS:

The material witnesses were read their rights and agreed to answer questions without the presence of an attorney.

1. GARCIA De-Jeorge, Georgina Alberto stated that she crossed into the United States on April 22, 2015 at about 6:00 A.M. She crossed the river along with eight other illegal aliens. GARCIA stated she was to pay a total of \$7,800.00 USD to be smuggled into the United States. After crossing the Rio Grande River she was guided through the brush by a foot guide from Mexico until arriving at a property and instructed to hide in an abandoned shed. GARCIA stated that after spending one night at the shed one of the subjects in the group was contacted by a smuggler and advised that a vehicle was waiting for them. GARCIA and the others loaded into a light color pickup truck driven by a male subject. GARCIA stated that once inside the vehicle the male subject instructed the group to put on their seatbelts. GARCIA described the driver as a male with medium dark colored skin, goatee and wearing a black shirt.

GARCIA identified Jesus PENA in a photo lineup as the driver of the vehicle.

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2. CAZANGA-Ramires, Edi Marleni stated her cousin made her smuggling arrangements. CAZANGA paid \$600.00 USD of the \$8,000.00 USD she was to pay to be smuggled to Maryland. CAZANGA crossed the river with eight other undocumented aliens and one guide. After crossing the river, CAZANGA stated the group was guided north through the brush to a property. At the property, the group was told to hide in a torn down house where they spent the night. The next day in the afternoon, CAZANGA claims someone in the group made a call and had them picked-up. Soon after, a gray pickup truck arrived to pick up the group. Once the group entered the pickup truck, they were told by the driver to calm down and that nothing was going to happen. CAZANGA identified the driver as a male subject with medium brown colored skin and about thirty years old.

CAZANGA identified Jesus PENA in a photo lineup as the driver of the vehicle